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PLEASE DELIVER THE ACCOMPANYING TELECOPIED MATERIAL TO:	TRANSMITTAL DATE: Jul 27, 2001
NAME: Francine Young	CLIENT/MATTER NO: 5853-186US
PHONE: 703 350 3662	TOTAL PAGES: 5
FIRM/COMPANY NAME: USPTO	CITY, STATE:

SENDER'S NAME: Gregory A. Nelson**Re: Application No. 09/856,416**

Attached please find the Response to Notification of Defective Response.

PLEASE CALL (561) 653-5103
IF ANY PAGES ARE NOT RECEIVED OR RECEIVED IN ERROR.

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FAX_SING:1

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted to the Commissioner for Patents, Washington, DC 20231 via facsimile to fax number (703)306-3230 on July 27, 2001.


Gregory A. Nelson, Registration No. 30,577

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of TALTON, *et al.*

Application No. 09/856,415

Examiner:

Filing Date: May 18, 2001

Group Art Unit:

For: **METHODS FOR PREPARING COATED DRUG PARTICLES AND PHARMACEUTICAL FORMULATIONS THEREOF**

TRANSMITTAL LETTER

Box PCT
Commissioner for Patents
Washington, D.C. 20231

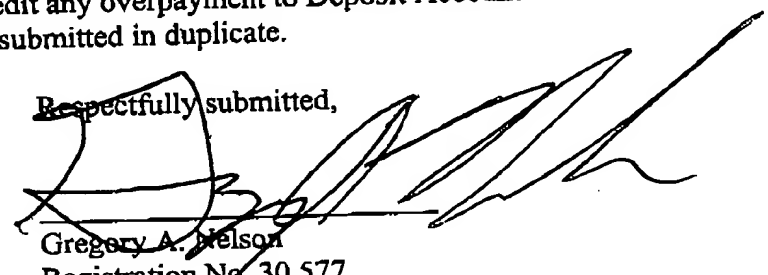
Sir:

Please find enclosed for filing:

- ☒ Response to Notification of Defective Response
- ☒ Copy of Notification of Defective Response
- ☒ Copy of PCT Form IB306
- ☒ Please charge any deficiencies or credit any overpayment to Deposit Account No. 50-0951. This Transmittal Letter is submitted in duplicate.

Date: 27 July 2001

Respectfully submitted,


Gregory A. Nelson
Registration No. 30,577
Akerman, Senterfitt & Eidson, P.A.
222 Lakeview Avenue, Suite 400
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

Docket No. 5853-186US

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted to the Commissioner for Patents, Washington, DC 20231 via facsimile to fax number (703) 505-3230 on July 27, 2001


Gregory A. Nelson, Registration No. 30,577

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of TALTON, *et al.*

Application No. 09/856,415

Examiner:

Filing Date: May 18, 2001

Group Art Unit:

For: METHODS FOR PREPARING COATED DRUG PARTICLES AND PHARMACEUTICAL FORMULATIONS THEREOF

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents
Washington, D.C. 20231

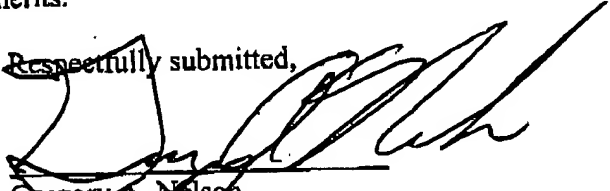
Sir:

In the above-identified application, Applicant has received a Notification of Defective Response mailed July 13, 2001, indicating that the Oath or Declaration filed with the above-identified application on May 18, 2001 was not in compliance with 37 CFR 1.497(a) and (b). Applicant hereby submits the Notification of The Recording of a Change, PCT Form IB-306, which identifies James M. Fitz-Gerald as an inventor of the above-identified application. Applicant has also included a copy of the Notification of Defective Response dated July 13, 2001.

Applicant requests examination on the merits.

Date: 27 July 2001

Respectfully submitted,


Gregory A. Nelson
Registration No. 30,577
Akerman, Senterfitt & Eidson, P.A.
222 Lakeview Avenue, Suite 400
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

Docket No. 5853-186US

PATENT COOPERATION TREATY

DOCKETING DEPT.

PCT JUN 13 2000

From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

T :

MOORE, Mark, D.
Williams, Morgan & Amerson, P.C.
7676 Hillmont
Suite 250
Houston, TX 77040
ETATS-UNIS D'AMERIQUE

Date of mailing (day/month/year)

24 May 2000 (24.05.00)

Applicant's or agent's file reference

4300.012910

International application No.

PCT/US99/27401

IMPORTANT NOTIFICATION

International filing date (day/month/year)

18 November 1999 (18.11.99)

1. The following indications appeared on record concerning:

☒ the applicant☒ the inventor☐ the agent☐ the common representative

Name and Address

DOCKETED ☐ UPDATED ☒
Previous ☐ Not Required ☒
Action Required: _____
DATE DUE: _____
Checked: _____

State of Nationality

State of Residence

Telephone No.

Facsimile No.

Teleprinter No.

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person☒ the name☒ the address☐ the nationality☐ the residence

Name and Address

FITZ-GERALD, James, M.
Navy Research Laboratory
Code 6372 - Building 74
4555 Overlook Avenue, SW
Washington, DC 20375
United States of America

State of Nationality

US

State of Residence

US

Telephone No.

Facsimile No.

Teleprinter No.

3. Further observations, if necessary:

Additional inventor and applicant for US only. PLEASE URGENTLY PROVIDE A POWER OF ATTORNEY
SIGNED BY ALL THE OTHER APPLICANTS.

4. A copy of this notification has been sent to:

☒ the receiving Office☒ the International Searching Authority☐ the International Preliminary Examining Authority☒ the designated Offices concerned☐ the elected Offices concerned☐ other:The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Philippe Bécamel

Facsimile No.: (41-22) 740.14.35

Telephone No.: (41-22) 338.83.38

003304943



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856415	TALTON	J 5853-186US
INTERNATIONAL APPLICATION NO.		
PCT/US99/27401		
I.A. FILING DATE	PRIORITY DATE	
18 NOV 99	18 NOV 98	

AKERMAN SENTERFITT & EIDON
POST OFFICE BOX 3188
WEST PALM BEACH, FL 33402 3188

DATE MAILED:

13 JUL 2001

NOTIFICATION OF A DEFECTIVE RESPONSE

- ☐ The request for an extension of time (37 CFR 1.136(a)) filed _____ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
- ☐ Applicant's response filed _____ was received in the Office after the expiration of the period for response set in the Office notification mailed _____. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).
- ☒ Applicant's response filed 02 JULY 2001 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed _____ have not been completed.

- ☐ Translation of the international application into English.
 - ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ Processing fee (37 CFR 1.492(f)).
- ☒ Oath or Declaration of inventors(s).
 - ☒ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ Surcharge (37 CFR 1.492(e)).
- ☐ Sequence Listing.
 - ☐ not in compliance with 37 CFR 1.821-1.825 for the reasons indicated on the attached PCT/DO/EO/920.
- ☐ Additional claim fees.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements (Form DO/EO/905) may be extended under 37 C.F.R. § 1.136(a).

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

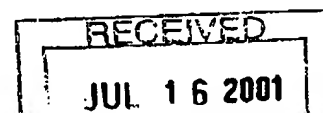
Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PCT/DO/EO/920

Francine Young

Telephone: 703-305-3662

FORM PCT/DO/EO/916 (March 2001)

DOCKETED





UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856415	TALTON	J 5853-186US

INTERNATIONAL APPLICATION NO.

PCT/US99/27401

AKERMAN SENTERFITT & EIDON
POST OFFICE BOX 3188
WEST PALM BEACH, FL 33402 3188

I.A. FILING DATE	PRIORITY DATE
18 NOV 99	18 NOV 98

DATE MAILED: 13 JUL 2001

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371(c)(4) for entry into the national stage in the United States of America. The period within which to correct the deficiency noted below and avoid abandonment is set in the accompanying Notification.

A new oath or declaration, properly identifying this application (preferably by the international application number and international filing date) is required. The oath or declaration does not comply with 37 CFR 1.497(a),(b) and (f) in that it:

1. ☐ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the application to which it is directed.
3. ☒ does not identify the inventor(s). (Fitzgerald, J)
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b), AND 1.497(d) WHERE APPROPRIATE, WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.
2. ☐ does not state that the person making the oath or declaration:
 - a. ☐ has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. ☐ acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate for which a claim for priority is made pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.

 Francine Young
Telephone: 703-305-3662